IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

MONDAY, THE 26TH FEBRUARY 2007 / 7TH PHALGUNA 1928

WP(C).No. 5489 of 2007(C)

PETITIONER:

R.BYJU,
PWD CONTRACTOR, AGED 40 YEARS, S/O. RASHEED,
FATHIMA MANZIL, POWER HOUSE WARD, ALAPPUZHA.

BY ADV. SRI.A.K.ALEX

RESPONDENTS:
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1. K.NARAYANA KURUP,
KULATHINKAL, KARUKACHAL, CHANGANACHERRY TALUK.
2. RANJITH,
MAZHUVANADIYIL, KARUKACHAL, CHANGANACHERRY TALUK.
3. HARINDRANADHAN KAIMAL,
KALAYIL, KARUKACHAL, CHANGANACHERRY TALUK.
4. SUPERINTENDENT OF POLICE,
KOTTAYAM.

ADDITIONAL RESPONDENTS:

*5.DISTRICT COLLECTOR, KOTTAYAM.
*6. SENIOR GEOLOGIST, MINING AND GEOLOGY, DISTRICT OFFICE, KOTTAYAM.
*7. KARUKACHAL GRAMA PANCHAYATH REPRESENTED BY ITS SECRETARY,
KARUKACHAL PANCHAYATH, KARUKACHAL POST, CHANGANACHERRY TALUK.

* ADDITIONAL R5, R6 AND R7 ARE IMPLEADED AS PER ORDER DATED 20.2.2007 IN I.A.2618/07.

BY ADV. SRI.JACOB GEORGE (PATHAZHAKKUZHIKAL)
SRI.JOSEPH A.VADAKKEL
SRI.GEORGE KARITHANAM VARGHESE
SRI.V.J.JOHN
SRI.M.P.MADHAVANKUTTY FOR R7
GOVERNMENT PLEADER SRI. P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

1)	EXT.P1:	COPY OF THE RELEVANT PORTION OF SALE DEED DATED 13.2.2007 OF THE ALAPPUZHA SUB REGSITRY OFFICE EXECUTED IN THE NAME OF PETITIONER.
2)	EXT.P2:	COPY OF THE CERTIFICATE DATED 13.2.2007 ISSUED BY THE EXECUTIVE ENGINEER, PAU, ALAPPUZHA TO PETITIONER.
3)	EXT.P3:	COPY OF THE COMPLAINT DATED 14.2.2007 SUBMITTED BY PETITIONER TO 4TH RESPONDENT.
4)	EXT.P4:	COPY OF THE ACKNOWLEDGEMENT CARD DATED 14.2.2007 WHICH SHOWS THAT 4TH RESPONDENT GOT EXT.P3.

BKN //TRUE COPY//

P.A.TO JUDGE.

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C).NO.5489 OF 2007

Dated this the 26th day of February,2007.

JUDGMENT

Koshy, J.

This is a petition for police protection for removing red sand from the petitioners property. Learned counsel submitted that R.D.O has issued a stay order. Therefore it is for the petitioner to approach the RDO and get appropriate order. Since stop memo was issued by R.D.O, it is not proper for this court to grant police protection. However R.D.O is directed to pass final orders, after hearing all concerned parties.

The Writ Petition is disposed accordingly.

J.B.KOSHY, JUDGE.

T.R.RAMACHANDRAN NAIR, JUDGE.

bkn